



Lamoine Board of Selectmen

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Minutes of October 6, 2011

Chair pro-tem Richard Fennelly called the meeting to order at 7:03 PM.

Present were: Selectmen Richard Fennelly Jr., Cynthia Donaldson, Gary McFarland, William Brann; Administrative Assistant Stu Marckoon, Deputy CEO/Assessor Michael Jordan, Chris Norris, Tana Jacques, David Carver and Rylan Brann. Selectman Jo Cooper was unable to attend.

Minutes of September 15, 2011 – Cynthia noted there was a sentence on page one that needed correction. Gary moved to approve the minutes as corrected. Cynthia 2nd.
Vote in favor was 4-0.

Expenditure Warrant 7 – Selectmen signed the warrant in the amount of \$55,379.85. Stu noted there were four pages worth of bills and two payrolls on the warrant, but no school invoice. Cynthia asked about a \$50 expenditure to the City of Ellsworth for Shellfish. Stu and Richard explained that the town received a fine from a summons written for violating the ordinance, and that is sent to the city which administers the program. Cynthia asked about the fill-in pay for the Code Enforcement Officer. Stu explained how the payment structure works.

Cash and Budget Report – Stu reported that he has created a line to track the legal expenses. A brief discussion followed on what the potential legal costs will be.

Checking Account Reconciliation – Selectmen signed the form expressing satisfaction with their review of the reconciliation of the checking account.

Excise Tax Report – Richard noted that the 1st quarter of the current fiscal year is down more than \$3,000 compared to the last fiscal year.

Public Hearing – Automobile Graveyard – Pro Auto – Richard opened the meeting at 7:15 PM. Stu noted that the applications from Pro Auto are much more detailed than in previous years. Richard said the report from Code Enforcement Officer Ford suggested planting trees along the border of the yard in Marlboro. Christopher Norris said that has been done. He said they plan to make the facilities more of a salvage yard than a junkyard. David Carver showed pictures of the trees that were planted. Mr. Norris explained the fluid draining process. He said they are trying to be more environmentally conscious and to remove the stigma of a junkyard from the two properties. He said they do not crush cars on site any more. Mr. Carver said on-site crushing made a mess. He said they got a lot of input from the DEP, and the vehicles brought to the yards are removed as a complete unit. He said a company called EPI removes the fluids they collect.

Richard noted the inspection report and said both yards were neat and orderly. Mr. Carver said he expects it will take a year and a half to clean up the yards to their

satisfaction. Bill thanked Mr. Norris for his business and said it appears to be a good clean place.

The hearing closed at 7:22 PM.

Gary moved to approve the two automobile graveyard permits for Pro Auto. Cynthia 2nd. **Vote was 4-0.** Selectmen signed both permits with the conditions that have appeared on them for many years. Richard also signed a Recycler Permit for the State of Maine at the request of Ms. Jacques from Pro Auto.

Commercial Trash Hauler Policy – Selectmen signed the policy as passed by the special town meeting on September 15, 2011.

Selectmen reviewed the draft application for commercial trash haulers. There were two very minor edits on page two of the application. Bill asked when the policy takes effect. Stu said it's in effect now. Cynthia moved to approve the application with the editorial changes. Gary 2nd. **Vote in favor was 4-0.**

Selectmen approved of the letters to Russell Boynton Jr. and Vinal Tainter informing them of the new policy. Cynthia expressed hesitation about starting the letter to Mr. Tainter with "we're pleased to report". Richard asked if he was correct in believing the weekly cost per household was calculated to \$2.43 per customer from out of town. Stu said that's what he came up with. Selectmen signed the letters to the two haulers. There was a brief discussion about the contractual relationship between the haulers and their customers.

Regional Shellfish Ordinance Amendments – Selectmen signed both the ordinance and interlocal agreement copies reflecting the changes approved by the special town meeting on September 15, 2011. Stu said they would be on file here at the town hall and made available if the City of Ellsworth needed them.

Appointment – Conservation Commission – Cynthia moved to appoint Anne Labossiere to the Conservation Commission, whom she said would be a terrific addition. Gary 2nd. **Vote in favor was 4-0.**

Budget Committee – Stu reported both alternates Deborah Verrill-McFarland and Cece Ohmart were willing to serve as the full member. Cynthia suggested tossing a coin as both were appointed at the same time. There was no objection. Michael Jordan supplied a quarter and Ms Verrill-McFarland won the toss, whereupon Cynthia nominated her as the full Budget Committee member and Bill 2nd. **Vote in favor was 3-0 (McFarland abstained).**

Resignation from Local School Advisory Committee – Richard moved to accept with regret the resignation of Frederick Cahn from the Local School Advisory Committee. Gary 2nd. **Vote in favor was 4-0.** Cynthia said the word needs to get out that there is an opening on the committee. Stu reported there may be a second opening, but that has not yet happened.

Next Meeting Time/Date – Cynthia noted that the Local School Advisory Committee has scheduled a forum on October 20th which is the same date as the next Selectmen's meeting. After a brief discussion the board opted to meet at the school at 8:00 PM following the forum.

Road Projects – Stu reported that he had assigned the fall road work as outlined last meeting. He reported that he assigned a shoulder washout on Needles Eye Road to Richard McMullen who was working on it earlier in the day. Mr. Jordan confirmed that. Stu reported the DEP called to say the permit by rule for Marlboro Beach was approved pending confirmation from Inland Fisheries and Wildlife that the nesting shorebird limitations would not be violated.

Salt Storage – Stu reported that Richard McMullen had won the contract to plow Route 184 for the State of Maine. He said he believed it was OK for Mr. McMullen to store salt in the town's salt/sand shed as the contract allowed for storage of salt to be used for Lamoine roads. He said another contractor had complained that may have given Mr. McMullen an unfair advantage. Stu reported that Mr. McMullen is in the process of obtaining a permit to build a salt/sand shed on his Partridge Cove Road property and received state permission to do so earlier in the day. Selectmen said they did not have any problem with the interpretation of the snow contract in regard to salt storage but could understand the complaint from the other contractor.

Mowing – Stu said he put the roadside mowing specifications in the packets and it called for 5-feet, not 6 as alleged at the previous meeting. He said he looked over the roadsides on the roads he traveled, and there did not appear to be anything that wasn't mowed that should have been. He suggested the issue might be revisited next summer. Mr. Jordan said he brought up the matter at the previous meeting because he thought the spec called for 6-feet.

Town Meeting Date – Richard moved to set March 13 and 14, 2012 as the annual town meeting date. Gary 2nd. **Vote in favor was 4-0.**

Solid Waste Meeting with Trenton – Stu explained that a member of Trenton's solid waste committee visited yesterday and was interested in starting a conversation with Lamoine about ways to potentially utilize the transfer station for recycling and possibly MSW. He said he planned to attend a meeting with them on November 2nd. He said there is some potential for revenue for Lamoine, savings for Trenton, and more efficient utilization of the transfer station.

Landfill Inspection Report – Stu reported the DEP sent its inspection report on the closed landfill, and it looked very good. Richard said it's about as close to glowing as you can get on a landfill.

Sign Fee Request – Stu reported that CEO Dennis Ford has requested that fee for signs be added to the fee schedule under the Building and Land Use Ordinance. Currently signs pay 5-cents per square foot, and the maximum sign size is 16-square

feet, which calculates to a maximum fee of 80-cents. He said that doesn't cover costs, and Mr. Ford has suggested a \$10 fee. Richard said he didn't think \$10 was unreasonable. Stu said a public hearing is needed prior to changing the fee structure. Richard moved to set the hearing date on November 3, 2011 at 7PM during the Selectmen's meeting. Bill 2nd. **Vote in favor was 4-0.**

General Assistance Ordinance Hearing – Stu suggested that the annual adjustment hearing take place at the meeting at the school on October 20th. Cynthia moved to hold that hearing at 8:00 PM at the Lamoine School. Richard 2nd. **Vote in favor was 4-0.**

Maine Power Options – Stu reported there may be some savings by utilizing Maine Power Options. He said the town has been a member for years but never able to take advantage of any real savings. Richard said they appear to be a power aggregator and moved to authorize Stu to get more information. Gary 2nd. **Vote in favor was 4-0.**

Other – Gary offered condolences to the friends and family of Noel Dechar who passed away on Monday. There was a brief conversation about the colorful Excalibur the Electrician, his life and generosity. Mr. Dechar did much of the wiring at the town office. A celebration of his life is planned for October 29th at Gilman Electric.

Cynthia asked about a memo in the packet referring to several tires disposed of off Mill Road. Stu said he would check on those to see if they'd been picked up yet. (Note: Transfer Station manager Bill Fennelly picked them up the next day).

Richard outlined the future meeting schedule.

Budget Workshop – Selectmen began a budget workshop at 7:58 PM to review the initial Administration and Solid Waste budgets. Cynthia said she would not be able to attend the October 17, 2011 Budget Committee meeting.

Following the workshop, Richard said he'd received a call in regard to a concern that someone had said they believe that a person was living at the fire station. Stu said he was not aware of anyone living there, and that he didn't see any evidence of that the previous night during a cleanup. He said he would discuss it with the fire chief.

There being no further business, the meeting adjourned at 9:00 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen